

OFFICIAL NOTICE 57553
REQUEST FOR QUALIFICATIONS

The City has experienced a significant increase in the number of properties it has acquired through the tax foreclosure process, and currently owns over 1,000 tax foreclosed properties. In 2014, the City launched its “Strong Neighborhoods Plan” – a comprehensive effort to address all impacts of the tax foreclosure issue and stabilize City neighborhoods. Revitalization is a key component of the plan.

Over the past few years, the City of Milwaukee has successfully worked with affordable housing developers to undertake projects that involve the acquisition and redevelopment of scattered site City owned tax foreclosed properties utilizing the Low Income Housing Tax Credit (LIHTC) program. The goals of these efforts have been to:

- Return vacant City tax foreclosed properties to productive use
- Provide high quality affordable housing opportunities for Milwaukee residents
- Cluster redevelopment efforts in a manner that results in a positive impact for the surrounding neighborhood
- Encourage new investment in housing in Milwaukee neighborhoods
- Provide construction opportunities for local small business enterprises and job opportunities for local residents

The City of Milwaukee wishes to continue the activity in 2015 and work directly with experienced developers of affordable housing utilizing the LIHTC program to redevelop scattered site City owned tax foreclosed properties in a targeted manner that will result in the maximum benefit for City neighborhoods.

Based on responses to this Request for Qualifications, the City will work with selected developers to identify group of properties within neighborhoods with a concentration of City tax foreclosed properties and provide the developer with site control for the purposes of submitting their application to WHEDA for tax credits in the 2015 tax credit round. If tax credits are awarded, the City will work with selected developers to successfully close the transaction. At closing, developers will enter into a purchase and sale agreement with the City which will include requirements related to the sale and development of City property.

A map is attached that reflects the location of City owned tax foreclosed properties. The map also reflects the location of recent housing investment by the City and its partners. For additional information, you may access the City’s Strong Neighborhoods mapping application to view comprehensive housing data at the neighborhood level, including the locations of City owned tax foreclosed properties, vacant lots, pending demolitions, occupancy characteristics, etc. The application is available at:

<http://city.milwaukee.gov/mapmilwaukee> (Click on “Strong Neighborhoods Plan” under “Map Applications”)

Qualifications

The City wishes to partner with entities with a track record and experience in the development, ownership and management of scattered site housing through the Low Income Housing Tax Credit Program. Entities should submit the following information:

- (1) Description of experience in the acquisition, development and management of affordable housing through the LIHTC program. Include the names of each entity on your team and describe the number of years and the type of experience. Include number of units developed/owned/managed. Describe both experience with housing rehabilitation as well as new construction. Include a description of your experience with the development and management of scattered site housing.
- (2) Describe experience in working with emerging business enterprises/contractors, job training programs or programs creating employment opportunities for City residents.
- (3) Describe any partnerships with community or resident based organizations that you have been engaged in with your previous development activity.
- (4) Indicate the specific geographic area of the City in which you want to target your development efforts. Your targeting preference should consider the goals described in this RFQ.
- (5) Any other unique qualifications

Selection

Participating entities will be selected based on their response to the above criteria. A maximum of 100 points will be awarded. The evaluation of submissions will be based on:

- Capacity – ability of entity to acquire, develop, and manage scattered site rental housing including the rehabilitation of vacant one and two family properties (30 points)
- Experience – the experience and qualifications of key members of your development team (50 points)
- Commitment to and past record of working with emerging business enterprises in both development and contracting activities (20 points)

City Real Estate Purchase Policies

The City of Milwaukee will not consider proposals for the acquisition of properties from development teams or individuals who:

- Are delinquent in the payment of any property tax, special assessment, special charge or special tax to the City of Milwaukee.
- Have outstanding judgments from the City or if the City acquired property tax-foreclosure judgment.
- Have outstanding health or building code violations or orders from the City's Health Department or Department of Neighborhood Services that are not actively being abated.

- Have been convicted of violating an order of the health department or department of neighborhood services within the past year.
- Owned property in the city that, at any time within the past 5 years, the city acquired by means of property-tax foreclosure. Applies to any ownership group or LLC of which any prospective buyer has been a member.
- Have been convicted of a felony determined by the commissioner to reasonably cause neighborhood or community concern with respect to neighborhood stability, health, safety or welfare. In making this determination, the commissioner may consider factors such as the nature of the crime, the date of conviction and the existence and nature of community impact and complaints

RFQ Submission Requirements and Deadline:

All questions and communication regarding this RFQ should be submitted in writing (See #1 of General RFQ Requirements) to Scott Stange. Questions must be sent in writing **no later than October 31, 2014**. Questions initiated after **October 31, 2014** will not be considered. Any additional information, clarification and answers to the questions submitted by the deadline date will be posted on the Internet on the website referred to below in the form of an addendum to this RFQ by **November 3, 2014**:

<http://city.milwaukee.gov/Projects/RequestsforProposals.htm>

Proponents will be responsible for keeping abreast of the addenda as they are posted. All such addenda shall become a part of the RFQ, and all Proponents shall be bound by such, whether or not received by the Proponent

One original and 2 (two) copies of the proposal should be submitted to DCD's Bid Desk no later than **11:00 a.m., November 7, 2014**. Late submissions will not be accepted.

Proposals should be mailed or delivered to:

Bid Desk

Department of City Development

809 N. Broadway, 2nd floor

Milwaukee, WI 53202-3617

Proposal to be clearly marked: **Official Notice #57553, Developer Project, 2015 LIHTC**

General RFQ Requirements

1. Interpretations of RFQ -Any requests for interpretation should be submitted in writing to Scott Stange, sstang@milwaukee.gov. No oral interpretations will be made to any Developer as to the meaning of the RFQ requirements. All interpretations will be posted and answered on the Internet. If you received your RFQ from the Internet you will be responsible for keeping abreast of the addenda as they come in. All such addenda shall become a part of the RFQ, and all Developers shall be bound by such, whether or not received by the Developer.

2. Receipt of Proposals - Proposals received prior to the time of opening will be secure. The officer whose duty it is to open them will decide when the specified time has arrived, and no proposal received thereafter will be considered. No responsibility will be attached to an officer for the premature opening of a proposal not properly addressed and identified.

Developers are cautioned to allow ample time for transmittal of proposals by mail or otherwise. Developers should secure correct information relative to the probable time of arrival and distribution of mail at the place where proposals are to be forwarded.

3. Withdrawal of Proposals - Proposals may be withdrawn on written request dispatched by the Developer in time for delivery in the normal course of business prior to the time fixed for closing. Negligence on the part of the Developer in preparing a proposal for offer to DCD confers no right of withdrawal or modification of the proposal after such proposal has been opened. In case of withdrawal of a proposal by a Developer, the Developer will be disqualified thereby from submitting a second proposal on the contract at hand. See Section 66.0901(5), Wisconsin Statutes.

4. Rejection of Proposals - DCD reserves the right to reject the proposal of any Developer who has previously failed to perform properly or to complete on time contracts of a similar nature, who is not in a position to perform the contract, or who has habitually and without just cause neglected the payment of bills or otherwise disregarded his obligations to subcontractors or employees.

5. Miscellaneous - DCD reserves the right to waive informalities in any proposals, reject any or all proposals in whole or in part, with or without cause, and to accept the proposal(s) which in its judgment best meets its needs.

6. Equal Employment Opportunity - The Developer agrees that there will not be discrimination as to race, sex, sexual orientation, religion, color, age, creed, or national origin in regard to obligation, work, and services performed under the terms of any contract ensuing from this RFQ. Developer must agree to comply with Executive Order No. 11246, entitled "Equal Employment Opportunity" and as amended by Executive Order No. 11375, as supplemented by the Department of Labor Regulations (41 CFR, Part 60).

7. Indemnification - The Developer agrees that it will indemnify, save and hold harmless DCD and the City of Milwaukee, their officers, employees, or agents, from and against all claims, demands, actions, damages, loss, costs, liabilities, expenses, judgments, and litigation costs, including reasonable attorneys fees, photocopying expenses and expert witness fees, recovered from or asserted against DCD or the City of Milwaukee on account of injury or damage to person or property or breach of contract to the extent that such damage, injury, or breach may be incident to, arising out of, or be caused, either directly or proximately, wholly or in part, by an act or omission, negligence or misconduct on the part of the Developer or any of its agents, servants, employees or subcontractors.

DCD shall tender the defense of any claim or action at law or in equity, arising out of or otherwise related to an act or omission, negligence, misconduct, or breach of contract on the part of the Developer or any of its agents, servants, employees or subcontractors, to the Developer or its insurer and, upon such tender, it shall be the duty of the Developer and its insurer to defend such claim or action without cost or expense to DCD.

8. Ethics - It is the policy of the Department of City Development that contracts shall not be awarded to any Developer team that includes individuals who have left City employment within the past 12 months, or individuals who are currently members of the RACM board.

9. Wisconsin Public Records Law - Both parties understand that the City of Milwaukee is bound by the Wisconsin Public Records Law, and as such, all of the terms of this Agreement are subject to and conditioned on the provisions of Wis. Stat. 19.21, *et seq.* The Developer acknowledges that it is obligated to assist DCD in retaining and producing records that are subject to Wisconsin Public Records Law, and that the failure to do so shall constitute a material breach of this Agreement, and that the Developer must defend and hold DCD harmless from liability under that law. Except as otherwise authorized, those records shall be maintained for a period of seven years after receipt of final payment under this Agreement.

DESIGNATION OF CONFIDENTIAL AND PROPRIETARY INFORMATION

Material submitted in response to DCD's Request for Qualifications No. 57553 includes proprietary and confidential information that qualifies as a trade secret, as provided in Wis. Stats. §§ 19.36(5) & 134.90, or is otherwise material that can be kept confidential under the Wisconsin Public Records Law. As such, the proponent asks that certain pages, as indicated below, of this proposal be treated as confidential material and not released, to the extent allowed by Wisconsin law. Therefore, I am providing the following information with the express understanding that it is being submitted to DCD under a pledge of confidentiality. I would not have submitted this information had DCD not pledged to keep it confidential* and request that the following pages not be released:

<u>Section</u>	<u>Page</u>	<u>Topic</u>

*NOTE: Proponents are cautioned that the ENTIRE PROPOSAL WILL NOT FALL WITHIN THE CONFINES OF THE PLEDGE OF CONFIDENTIALITY. PLEASE LIMIT DESIGNATIONS OF CONFIDENTIALITY ONLY TO PROPRIETARY OR TRADE SECRET INFORMATION, OR OTHER LIMITED INFORMATION THAT YOU PROVIDE ONLY UPON RECEIPT OF A PLEDGE OF CONFIDENTIALITY

IN THE EVENT THE DESIGNATION OF CONFIDENTIALITY OF THIS INFORMATION IS CHALLENGED, THE UNDERSIGNED HEREBY AGREES TO PROVIDE LEGAL COUNSEL OR OTHER NECESSARY ASSISTANCE TO DEFEND THE DESIGNATION OF CONFIDENTIALITY.

Failure to include this designation in the proposal response may mean that all information provided, as part of the proposal response will be open to examination and copying.

Signature (Authorized Representative)	Telephone Number
Name (Please Print)	Company Name
Title	Date

NOTE: DCD, as custodian of these public records has the obligation, pursuant to the Public Records Law, to determine whether the above information can be kept confidential.

DCD will notify any proponent if a determination is made that the requested information cannot be kept confidential.

PROPRIETARY INFORMATION: Proprietary information submitted in response to this Request for Qualifications will be handled in accordance with applicable DCD procurement regulations. A proponent responding to this proposal should not include any proprietary information as part of its proposal unless the proponent 1) designates the specific information that it maintains is proprietary and the reason(s) for such designation in a separate document to DCD, Purchasing/Contract Services Division and 2) identifies the specific information when it occurs within the proposal.

DCD's preference is for the proponent to segregate all information designated as confidential into one section of the Request for Qualifications and/or a separate document for easier removal to maintain its confidential status. The response to the proposal should indicate which portion of the requested information is confidential and where this information is located within the response, i.e. under separate cover, in confidential Section No. _____, etc. Data contained in the proposal and all documentation becomes the property of the DCD, Purchasing Division.

Generally, proposals are available for public review after the Purchasing/Contract Services Division has awarded and executed a contract.